

DEPARTMENT OF BENEFIT PAYMENTS

744 P Street
Sacramento, CA 95814



November 8, 1974

ALL-COUNTY LETTER NO. 74-219

TO: ALL COUNTY WELFARE DIRECTORS

OBSOLETE

Superseded by ACL #77-15

SUBJECT: TRANSPORTATION EXPENSES

Issued 3-17-77

REFERENCE: EAS SECTION 44-113.231(d).

Many counties have requested clarification of EAS Section 44-113.231(d) regarding the allowance of transportation costs to and from work as work-related expenses.

EAS Section 44-113.231(d) states that the necessary costs of transportation to and from work shall be allowed at the rate of 12 cents per mile less any amount contributed by passengers if the recipient uses his own motor vehicle, or at a rate not to exceed six cents per mile if the recipient rides in a private motor vehicle other than his own.

It is the interpretation and policy of this department that an individual may own property without holding legal title to it. He is considered the owner of property when he has the "right to possess, use, control, and dispose of the property" (EAS Section 42-203.3).

Consequently, if ownership of a motor vehicle is established per EAS Section 42-203.3, the applicant/recipient must claim the vehicle as property on the WR-2 form. In this event, 12 cents per mile less any amount contributed by passengers may be allowed for transportation expenses under EAS Section 44-113.231(d)(1). If the essential ownership is not established and the recipient does not claim the vehicle as property on the WR-2 form, an amount not to exceed six cents per mile may be allowed under EAS Section 44-113.231(d)(2).

Any questions concerning this matter may be referred to your AFDC Management Consultant at (916) 445-4458.

Sincerely,


DENNIS O. FLATT
Deputy Director

cc: CWDA

GEN 654 (2/74)